BILL NO. S-89-04-01

SPECIAL ORDINANCE NO. S-68-89

AN ORDINANCE approving the awarding of Reference #1377 by the City of Fort Wayne, Indiana, by and through its Department of Purchasing and **ALLEN COUNTY MOTOR, INC.** for the Traffic Engineering Department.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA;

SECTION 1. That Reference #1377 between the City of Fort Wayne, by and through its Department of Purchasing and **ALLEN COUNTY MOTORS, INC.** for the Traffic Engineering Department, respectfully for:

> **the purchase of a 4-wheel drive pick-up truck with super cab for the Traffic Engineering Department;**

involving a total cost of Nine Thousand Eight Hundred Fifty-Nine and 10/100 Dollars ($9,859.10), all as more particularly set forth in said Reference #1377 which is on file in the Office of the Department of Purchasing, and is by reference incorporated herein, made a part hereof, and is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Thomas C. Henry
Councilmember

APPROVED AS TO FORM
AND LEGALITY

J. Timothy McCaulay
J. Timothy McCaulay, City Attorney

Reference # 1377

Department Traffic Engineering

Date April 6, 1989

Item/Service Pick-up Truck

PURCHASING INFORMATION

Advertised Bid Yes Opening Date April 6, 1989
Dates Advertised 3/16/89 & 3/23/89

Written Quote _____ Due Date _____

Verbal Quote _____

Number of Vendors Notified 10

Number of Vendors Requesting Bid Information 2

Number of Vendors Responding 2

Number of Vendors Disqualified 0

Number of Vendors not Responding 8

Date Sent to Department for Recommendation 4/6/89

Date Recommendation is Received in Purchasing 4/6/89

Information Sent to Law Department 4/6/89

Introduction Date 4/11/89

Discussion Date 4/18/89

Passage Date 4/25/89

Ordinance # _____

Amount Approved and/or Spent Last Year, if Applicable _____

REFERENCE NO 1377

TRAFFIC ENGINEERING

COMPANY	MAKE	YEAR	MODEL	PRICE	TRADE-IN	TOTAL COST
BRADLEY	CHEVROLET	1989	4 X 4	$13,195.00	N/B	$13,195.00
ALLEN	FORD	1989	4 X 4	$14,359.10	$4,500.00	$9,859.10

28.	**WHEELS:**	**Five (5) 5 hole/ 15" x 5.5".**
29.	**MANUALS:**	**Two (2) service manuals on all equipment.**
30.	**WARRANTY:**	**Give description of all warranties and component warranties available.**
31.	**OPTIONS:**	**Handling package with front and rear stabalizer bars. Dual fuel tanks - 27 gallon minimum.**
32.	**TRADE-IN:**	**Price shall reflect credit given for trade-in of a 1984 F-350 Ford diesel truck, cab, chasis, with utility body. (TE - 24122).**

TO BE COMPLETED BY BIDDER

MAKE: FORD 4X4

MODEL: RANGER SuperCab

YEAR: 1989

DELIVERY TIME A.R.O. UNIT in Stock Ready for Delivery.

COST $14,359.10

NAME OF COMPANY BIDDING: Allen County Motors, Inc

DATE: 4-6-89

Vehicle in Stock.
May be seen by
Contacting Dennis Miller
432-9545
More Options than
Spec. Some Deviations.

Less TRADE-IN #4,500.00
1984 F-350 TRUCK

Net Price Difference
9,859.10

INVITATION TO BID
DEPARTMENT OF PURCHASING
CITY OF FORT WAYNE, ALLEN COUNTY, INDIANA
ONE MAIN STREET - ROOM 350
219-427-1101

BID OPENING DATE: 4-6-89 @ 11:00 AM BID REFERENCE # 1377

BIDS SHOULD BE DELIVERED TO DEPARTMENT OF PURCHASING, ROOM 350, CITY-COUNTY BUILDING UP TO 11:00 A. M., ON OR BEFORE OPENING DATE.

SEALED BIDS WILL BE OPENED PUBLICLY AT 11:01 A.M. IN THE BOARD OF WORKS AND SAFETY CONFERENCE ROOM ON THE THIRD FLOOR OF THE CITY-COUNTY BUILDING. "NO LATE BIDS WILL BE ACCEPTED AFTER 11:00 A.M. FOR ANY REASON WHATSOEVER."

THIS INVITATION FOR BID IS FOR One (1) +/- new 1989 model, compact pickup truck with 4-wheel drive and super cab

AND REQUESTED BY Traffic Engineering Dept.

PLEASE RETURN THIS FORM AND/OR ANY OF THE OTHER FORMS AS REQUESTED ON THE THE SHEET OF CONTENTS WITH YOUR SEALED BID.

THIS BID REQUIRES A xxxx 5% BID BOND, CERTIFIED CHECK, OR CASHIER'S CHECK OF ALL BIDDERS.

THIS BID REQUIRES A _____ 100% PERFORMANCE BOND OF SUCCESSFUL BIDDER(S).

PROMPT PAYMENT DISCOUNTS WILL BE ALLOWED AS FOLLOWS: _____ % IF PAID WITHIN _____ DAYS.

THE CITY OF FORT WAYNE IS EXEMPT FROM FEDERAL EXCISE AND INDIANA STATE SALES TAX. THE CITY'S INDIANA SALES TAX EXEMPTION CERTIFICATE NUMBER IS 356-001-255-0013. PRICES SHOULD NOT INCLUDE THESE TAXES.

THE EXECUTION HEREOF BY THE BIDDER IS ACCEPTANCE OF ALL TERMS AND CONDITIONS HEREIN AND IN THAT REGARD THE BIDDER AGREES TO BE BOUND BY SAME AND BE BOUND TO THE AMOUNT OF HIS/HER BID FOR A PERIOD OF NINETY (90) DAYS.

FIRM NAME Allen County Motors, Inc.
STREET ADDRESS 2300 W. Jefferson Blvd.
CITY Ft. Wayne, IN 46809
BY Linda Miller PHONE 219-432-9545
REPRESENTATIVE SIGNATURE

Bond No.

Fidelity and Deposit Company

HOME OFFICE OF MARYLAND *BALTIMORE, MD. 21203*

BID BOND

KNOW ALL MEN BY THESE PRESENTS:

That we, ALLEN COUNTY MOTORS, INC.
2300 W. Jefferson
Fort Wayne, IN 46804, as Principal, (hereinafter called the "Principal"), and the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, of Baltimore, Maryland, a corporation duly organized under the laws of the State of Maryland, as Surety, (hereinafter called the "Surety"), are held and firmly bound unto CITY OF FORT WAYNE
One Main Street
Fort Wayne, IN 46802 as Obligee, (hereinafter called the "Obligee"), in the sum of Five Percent (5%) of Contractors Maximum Bid Price Dollars ($----------), for the payment of which sum well and truly to be made, the said Principal and the said Surety, bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, the Principal has submitted a bid for Bid Ref. #1377 - One (1) new 1989 Ford Ranger Super Cab 4 x 4

NOW, THEREFORE, if the Obligee shall accept the bid of the Principal and the Principal shall enter into a contract with the Obligee in accordance with the terms of such bid and give such bond or bonds as may be specified in the bidding or contract documents with good and sufficient surety for the faithful performance of such contract and for the prompt payment of labor and material furnished in the prosecution thereof, or in the event of the failure of the Principal to enter into such contract and give such bond or bonds, if the Principal shall pay to the Obligee the difference not to exceed the penalty hereof between the amount specified in said bid and such larger amount for which the Obligee may in good faith contract with another party to perform the work covered by said bid, then this obligation shall be null and void, otherwise to remain in full force and effect.

Signed and sealed this 6th day of April A.D. 19 89

Witness

ALLEN COUNTY MOTORS, INC. (SEAL)
Principal
Title

FIDELITY AND DEPOSIT COMPANY OF MARYLAND
Surety

Vicki L. Sikora
Witness

By (SEAL)
Judith A. Snyder *Title*
(Attorney-in-fact)

C325d—150M,
Approved by The American Institute of Architects.
A.I.A. Document No. A-310 February 1970 Edition.

Power of Attorney

FIDELITY AND DEPOSIT COMPANY OF MARYLAND

HOME OFFICE, BALTIMORE, MD

KNOW ALL MEN BY THESE PRESENTS: That the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, a corporation of the State of Maryland, by C. M. PECOT, JR., Vice-President, and C. W. ROBBINS, Assistant Secretary, in pursuance of authority granted by Article VI, Section 2, of the By-Laws of said Company, which are set forth on the reverse side hereof and are hereby certified to be in full force and effect on the date hereof, does hereby nominate, constitute and appoint Duane E. Lupke, Donald L. Coffey, Edward B. Rice, Walter E. Boose, Virginia T. Axson, Gerald Clancy and Judith A. Snyder, all of Fort Wayne, Indiana, EACH

its true and lawful agent and Attorney-in-Fact, to make, execute, seal and deliver, for, and on its behalf as surety, and as its act and deed:

any and all bonds and undertakings.....

And the execution of such bonds or undertakings in pursuance of these presents, shall be as binding upon said Company, as fully and amply, to all intents and purposes, as if they had been duly executed and acknowledged by the regularly elected officers of the Company at its office in Baltimore, Md., in their own proper persons. This power of attorney revokes that issued on behalf of Duane E. Lupke, etal, dated, April 2, 1986.

The said Assistant Secretary does hereby certify that the extract set forth on the reverse side hereof is a true copy of Article VI, Section 2, of the By-Laws of said Company, and is now in force.

IN WITNESS WHEREOF, the said Vice-President and Assistant Secretary have hereunto subscribed their names and affixed the Corporate Seal of the said FIDELITY AND DEPOSIT COMPANY OF MARYLAND, this 1st day of October, A.D. 1987

FIDELITY AND DEPOSIT COMPANY OF MARYLAND

ATTEST: SEAL

C W Robbins
Assistant Secretary

By C M Pecot
Vice-President

STATE OF MARYLAND
CITY OF BALTIMORE } ss:

On this 1st day of October, A.D. 1987, before the subscriber, a Notary Public of the State of Maryland, in and for the City of Baltimore, duly commissioned and qualified, came the above-named Vice-President and Assistant Secretary of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, to me personally known to be the individuals and officers described in and who executed the preceding instrument, and they each acknowledged the execution of the same, and being by me duly sworn, severally and each for himself deposeth and saith, that they are the said officers of the Company aforesaid, and that the seal affixed to the preceding instrument is the Corporate Seal of said Company, and that the said Corporate Seal and their signatures as such officers were duly affixed and subscribed to the said instrument by the authority and direction of the said Corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my Official Seal, at the City of Baltimore, the day and year first above written.

CAROL J. RADER NOTARY PUBLIC BALTIMORE CITY

Carol J. Rader

Notary Public Commission Expires July 1, 1990

CERTIFICATE

I, the undersigned, Assistant Secretary of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, do hereby certify that the original Power of Attorney of which the foregoing is a full, true and correct copy, is in full force and effect on the date of this certificate; and I do further certify that the Vice-President who executed the said Power of Attorney was one of the additional Vice-Presidents specially authorized by the Board of Directors to appoint any Attorney-in-Fact as provided in Article VI, Section 2, of the By-Laws of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND.

This Certificate may be signed by facsimile under and by authority of the following resolution of the Board of Directors of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND at a meeting duly called and held on the 16th day of July, 1969.

RESOLVED: "That the facsimile or mechanically reproduced signature of any Assistant Secretary of the Company, whether made heretofore or hereafter, wherever appearing upon a certified copy of any power of attorney issued by the Company, shall be valid and binding upon the Company with the same force and effect as though manually affixed."

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the corporate seal of the said Company, this 6th day of April, 1989.

Christopher T. Maddox
Assistant Secretary

044-2987

COPY FOR INFORMATIONAL PURPOSES ONLY

Prescribed by the State Board of Accounts

Form No. 95 (Revised 1987)

BID, OFFER OR PROPOSAL FOR SALE OR LEASE OF MATERIALS

(Defined at I.C. 36-1-2-9.5)
(Please type or print)

Date: April 6, 1989

1. Governmental Unit: City of Fort Wayne
2. County: Allen
3. Bidder (Firm): Allen County Motor's, Inc.
   Address: 2300 W. Jefferson Blvd.
   City/State: Ft. Wayne, IN 46802
4. Telephone Number: (219) 432-9545
5. Agent of Bidder (If applicable): Dennis Miller Fleet Mgr.

Pursuant to notices given, the undersigned offers bid(s) to City of Ft. Wayne (Governmental Unit) in accordance with the following attachment(s) which specify the class or item number or description, quantity, unit, unit price and total amount.

The contract will be awarded by classes or items, in accordance with specifications. Any changes or alterations in the items specified will render such bid void as to that class or item. Bidder promises that he has not offered nor received a less price than the price stated in his bid for the materials included in said bid. Bidder further agrees that he will not withdraw his bid from the office in which it is filed. A certified check or bond shall be filed with each bid if required, and liability for breach shall be enforceable upon the contract, the bond or certified check or both as the case may be.

Dennis Miller Fleet Mgr.
Signature of Bidder or Agent

BID OFFER OR PROPOSAL

Attach separate sheet listing each item bid based on specifications published by governing body. Following is an example of the bid format:

Class or Item	Quantity	Unit	Description	Unit Price	Amount
1989 New Ford (1) Ranger 4 Wheel Drive Super Cab Pickup Truck					$14,359.10
			Allowance for trade-in 1984 F-350		-4,500.00
Per attached specifications. Delivery anytime, unit is now in stock at dealership.				Net trade difference	$9,859.10

Specifications NOT EXACT, more options included.

NON-COLLUSION AFFIDAVIT

STATE OF INDIANA)
) SS:
Allen COUNTY)

The undersigned bidder or agent, being duly sworn on oath, says that he has not, nor has any other member, representative, or agent of the firm, company, corporation or partnership represented by him, entered into any combination, collusion or agreement with any person relative to the price to be bid by anyone at such letting nor to prevent any person from bidding nor to induce anyone to refrain from bidding, and that this bid is made without reference to any other bid and without any agreement, understanding or combination with any other person in reference to such bidding.

He further says that no person or persons, firms, or corporation has, have or will receive directly or indirectly, any rebate, fee, gift, commission or thing of value on account of such sale.

ALLEN COUNTY MOTORS, INC.
Bidder (Firm)
Dennis Miller Fleet Mgr
Signature of Bidder or Agent

Subscribed and sworn to before me this 6 day of April, 1989.

My Commission Expires: 8-17-89

County of Residence: Allen

JoAnn Weaver
Notary Public

JoAnn Weaver
Notary Public Printed Name

ACCEPTANCE

There now being sufficient unobligated appropriated funds available, the contracting authority of _____ (Governmental Unit) hereby accepts the terms of the attached bid for classes or items numbered _____ and promises to pay the undersigned bidder upon delivery the price quoted for the materials stipulated in said bid.

Date: _____

Contracting Authority Members:

_____ _____
_____ _____
_____ _____

ATTACHMENT C

CERTIFICATION OF BIDDER/VENDOR

The undersigned, on behalf of _____ _____, does hereby make the following representations to the City of Fort Wayne, Indiana.

WHEREAS, it is acknowledged that the Common Council of the City of Fort Wayne, Indiana, has passed an ordinance condemning the apartheid policies of the country of South Africa;

WHEREAS, Council's ordinance requires that all persons, firms or corporations submitting bids to the City, for goods and services, certify, as part of the bid, that such entity does not support the policies of apartheid in South Africa.

The undersigned states, on behalf of _____ _____, that _____ does not support or endorse the policy of apartheid in South Africa.

IN WITNESS WHEREOF, this Certification has been signed this _____ day of _____, 19___.

_____
(Name of Bidder/Vendor)

_____
(Name and Title of Person Signing)

Read the first time in full and on motion by Henry, seconded by Reu, and duly adopted, read the second time by title and referred to the Committee on Finance (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council ~~Conference Room 128, City-County~~ Building, Fort Wayne, Indiana, on _____, the _____, day of _____, 19____, at _____ o'clock, ____.M.,E.S.T.

DATED: 4-11-89.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Bradbury, seconded by Talarico, and duly adopted, placed on its passage. PASSED ~~LOST~~ by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT
TOTAL VOTES	5			4
BRADBURY	✓			
BURNS	✓			
GiaQUINTA				✓
HENRY				✓
LONG	✓			
REDD	✓			
SCHMIDT				✓
STIER				✓
TALARICO	✓			

DATED: 4-25-89

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (~~ANNEXATION~~) (~~APPROPRIATION~~) (~~GENERAL~~) (SPECIAL) (~~ZONING~~ MAP) ORDINANCE ~~RESOLUTION~~ NO. S-68-89 on the 25th day of April, 19 89,

ATTEST: Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

SEAL
Charles S. Redd
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 2nd day of May, 19 89, at the hour of 10:00 o'clock A.M.,E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 10th day of May, 19 89, at the hour of 11:00 o'clock A.M.,E.S.T.

PAUL HELMKE, MAYOR

S-89-04-01

S-89-04-01

DIGEST SHEET

TITLE OF ORDINANCE: SPECIAL

DEPARTMENT REQUESTING ORDINANCE: PURCHASING

SYNOPSIS OF ORDINANCE: AN ORDINANCE APPROVING THE AWARD OF REFERENCE NO 1377 WITH RESPECT TO THE PURCHASE OF A 1989 4-WHEEL DRIVE PICK-UP TRUCK WITH SUPER CAB FOR THE TRAFFIC ENGINEERING DEPARTMENT. THE COST REFLECTS THE LOWEST AND MOST RESPONSIBLE OF TWO (2) VENDORS.

EFFECT OF PASSAGE: WILL REPLACE A 1989 FORD F-350 WITH OVER 80,000 MILES THAT IS TOO COSTLY TO CONTINUE CONSTANT MAINTENANCE REPAIRS.

EFFECT OF NON PASSAGE: TRAFFIC SIGNALS WILL NOT BE PROPERLY SERVICED AND MAINTAINED RESULTING IN CONFUSION AND DELAY TO MOTORISTS THUS INCREASING THE POTENTIAL OF TRAFFIC ACCIDENTS.

MONEY INVOLVED: ALLEN COUNTY MOTORS $9859.10

SOURCE OF FUNDING: TRAFFIC ENGINEERING
138-011-OFFC-444

BILL NO. S-89-04-01

committee of the whole

REPORT OF THE COMMITTEE ON ~~FINANCE~~

THOMAS C. HENRY, CHAIRMAN
MARK E. GiaQUINTA, VICE CHAIRMAN
BRADBURY, SCHMIDT, STIER

Committee of the Whole

WE, YOUR COMMITTEE ON FINANCE TO WHOM WAS

REFERRED AN (ORDINANCE) ~~(RESOLUTION)~~ approving the awarding of Reference #1377 by the City of Fort Wayne, Indiana, by and through its Department of Purchasing and ALLEN COUNTY MOTOR, INC. for the Traffic Engineering Department

HAVE HAD SAID (ORDINANCE) ~~(RESOLUTION)~~ UNDER CONSIDERATION AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID

(ORDINANCE) ~~(RESOLUTION)~~

DO PASS	DO NOT PASS	ABSTAIN	NO REC
Schmidt			
Janet G. Bradbury			

DATED: 4-25-89.

Sandra E. Kennedy
City Clerk